

To: Kahn, Paul[Kahn.Paul@epa.gov]
From: Jimenez, Christopher
Sent: Tue 3/24/2015 12:38:47 AM
Subject: Re: Amended summary of VI Inspection of Terminex

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>>>>>

I agree, the conference call was not the time to have that discussion though. We have time to talk to DPNR about that.

Sent from my iPhone

On Mar 23, 2015, at 19:39, Kahn, Paul <Kahn.Paul@epa.gov> wrote:

How will the current holders of MB "properly" dispose of their MB? I suspect they'll dump it or chuck it in the garbage. How about EPA host a MB amnesty turn-in? We get ERRS in on that....

Sent from my iPhone

On Mar 23, 2015, at 5:12 PM, "Jimenez, Christopher" <Jimenez.Christopher@epa.gov> wrote:

Summary was amended to add comments from ORC

From: Gorman, John
Sent: Monday, March 23, 2015 4:57 PM
To: Schaaf, Eric; LaPosta, Dore; Durack, Patrick; Newton, Caroline; Moore, Audrey; Glynn, Tara; Mauel, Linda; Reddy, Aarti; Simon, Paul; Sawyer, William; Shapiro, Naomi; Aber, Bruce; Jimenez, Christopher; Lott, Don; Mugdan, Walter; Mosher, Eric; Garrison, Geoffrey; Plevin, Lisa; Mears, Mary; Enck, Judith; Miles, James; Carpenter, Angela; DiForte, Nicoletta; Lieber, Thomas; Doyle, James; DOnofrio, Cris; R2 RRC; Buettner, Robert
Subject: VI Inspection of Terminex

I _____ conducted an inspection at the Terminex facility that applied the pesticide to the condo unit on 3/18. They confirmed that the pesticide applied was methyl bromide (see attached label instructions). Terminex obtained the methyl bromide (MB) from M&P in San Juan around October 2014. They previously obtained MB from Superior Angran in San Juan. They have in storage one container of approximately 50 lbs. in St. Croix and a similar container in storage on St. Thomas, both apparently in a locked storage area. Information on prior applications of MB are incomplete, but it is believed that it was applied two times at the condo

properties in October 2014 and on shipping containers in St. Croix.

The recent application at the condo unit was to treat powder post beetles. MB is used as a fumigant on certain agricultural products, shipping containers, warehouses, etc. for a variety of pests as specified on the product label. It is not authorized for any use in dwellings. Its use on powder post beetles is limited to forest and plant products such as driftwood, firewood, lumber, crates, etc. and there is a specified application dosage and exposure time specified in the label instructions. The VIDPNR inspection found that the record keeping at Terminex was incomplete. VIDPNR interviewed the applicator and related the following information: the applicator (Jose Rivera, a general manager at Terminex) is a licensed commercial applicator and he and his assistant applied the MB in the kitchen of the condo unit after closing the doors and windows, taping off the outlets, and using plastic sheeting as an enclosure around the walls. A plastic tube was then inserted through the plastic sheeting and the valve on the container was opened for five or six minutes. No other measurements were made and no monitoring was conducted. No barrier was installed between the kitchen ceiling and the occupied condo above it. The applicator was not aware of the restrictions on the use of MB and apparently relied on an old, outdated MSDS.

DPNR instructed Terminex to secure all stocks of MB and expects to issue a Stop Use Order tomorrow to all pesticides applicators in the Virgin Islands. The Stop Use Order will require proper disposal of all stocks of MB. They have also requested application records for the past year and documents from Terminex related to its purchase and use of MB. The applicator agreed to provide all application records by tomorrow. VIDPNR reported that they have verbal agreement from Terminex not to use MB for any purpose and to keep it locked up pending instructions from DPNR for disposal. DPNR agreed to give us a copy of the Order and to share its inspection report with us.

We have contacted PRDA and requested that they conduct inspections at Terminex, M&P, and Superior Angran. We have also requested information from Customs on any imports of MB into PR in the last five years. VI does not receive any legal imports of pesticides directly and generally obtains them from Puerto Rico. Since MB is also regulated under the Stratospheric Ozone Program (<http://www.epa.gov/ozone/record/whatforms.html>), holders of historical stocks were required to report to EPA HQ. No reports have been submitted by Terminex. HQ is checking the paper files to see if there are any filings from any distributor or applicator in the Virgin Islands or from the supplier in PR. We are also coordinating with R4 (where Terminex has its corporate HQ) and will be drafting an information request letter to inquire about Terminex's use of MB at other locations.

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